

CABINET MEMBER FOR WASTE, PROPERTY AND ENVIRONMENT – MR T STURGIS

DEPARTMENT OF RESOURCES

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REFERENCE: WPE-004-11

St PETERS SCHOOL SITE , DEVIZES

Purpose of Report

1. To seek approval for a land exchange between Salisbury Diocesan Board of Education and Wiltshire Council of the parcels of land shown coloured red (Wiltshire Council) and orange (Diocese) on the attached plan.

Background

Devizes St Peters SDBE school is due to close in 2012 following completion of a new school at Quakers Walk, Devizes. Ownership of the site of St Peters School is split between the Diocese and Wiltshire Council, as shown on the attached site ownership plan.

An existing pre-school, known as Taylor Made Nursery School, currently operate from the land and buildings shown shaded orange on the attached plan, by virtue of a lease from the Diocese. It is currently the intention of the Diocese for this area of land and buildings to be included within the site to be disposed of and as a result the lease to the pre-school will be terminated, and it will have to close unless alternative premises can be found.

The Diocese have not offered any alternative premises for Taylor Made Nursery and as a result they have approached the Council for assistance, with the support of the Early Years Team in DCE. Following discussion with them, their preferred option is to remain in occupation of their existing premises, subject to a transfer of this land from the Diocese to the Council.

Main Considerations for the Council

1. The capital receipt from the sale of this site will contribute towards the funding of the new Quakers Walk school. Any shortfall between the cost of the new school, the net capital receipt from the sale of the St Peters site, together with any S106 monies, is likely to have to be met by Wiltshire Council under the provisions of the Education Acts.
2. It will necessary for a valuation of both the Council owned land and the Diocese owned land currently leased to the pre-school to be undertaken to ensure that S123 of the Local Govt Act is complied with. Carter Jonas have been instructed to carry out this valuation for the Council.

Environmental Impact of the Proposal

5. There is no significant environmental impact.

Equalities Impact of the Proposal

6. None.

Risk Assessment

7. 1. There is a risk that the Council will have to make up the shortfall in the cost of construction of the new Quakers Walk school, over and above any receipts from the

disposal of the St Peters site and any S106 monies. This shortfall will increase if the Council owned land is not included in the sale.

8. 2. The buildings from which the pre-school operate (a former primary school) are in the region of 100 years old and are likely to be expensive to maintain. Whilst the terms of a lease to the pre-school can ensure that they retain liability for repairs, the reversionary interest , and hence repairing liability will remain with the Council and it is unlikely that the pre-school will have the resources to fund major repairs in any case. By taking over this land and the buildings on it, the Council will be taking on a significant future liability.

Financial Implications

8. 1.The Council may have to make up the shortfall in the capital receipt received from the site, as a result of not including the land in its ownership in the sale.
9. 2. The Council is likely to incur additional financial liabilities as a result of taking on the existing pre-school buildings.

Legal Implications

9. None.

Options Considered

- 10.
1. To include the Council owned land within the disposal of the school site as a whole, with a capital receipt based on apportioned site area.
2. To do a land exchange with the Diocese – swapping the land shown coloured red on the attached plan (currently Council owned) for that shown coloured orange (currently Diocese owned) subject to valuation advice as to the respective values of each site. Subsequently to grant a lease to Taylor Made Nursery on terms to be agreed.
3. To retain the Council owned land and lease this to Nursery, with a new pre-school to be constructed on the site. Funding for this would have to be identified.

Reasons for Proposal

10. To enable the pre-school at this site to continue to operate from its existing premises after the closure of the St Peters School and the disposal of the remainder of the site for development.

Proposal

12. To exchange land between the Council (shown coloured red) and the Salisbury Diocesan Board of Education (shown coloured orange) on terms to be agreed by the Head of Strategic Property Services.

The following unpublished documents have been relied on in the preparation of this Report:

None.